

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1, 3, 5-10 and 15-19 are pending. Claims 1, 5-7, 9-10, 15, and 18-19, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification as originally filed, and specifically at pages 25-28.

No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Generally, Applicants submit that the independent claims have been amended to recite that the user can identify a broadcast territory, which he/she is residing. A determination is made whether a selected program can be received in the territory identified by the user. If not a message is displayed on the electronic program guide that the selected program can not be received at the identified territory. A more complete discussion of the claimed feature is provided at pages 24-28 of the Specification. Applicants submit that the prior art used as a basis of rejection fails to teach or suggest this claimed feature.

A. Claims 7-10

Claims 7-10 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,072,983 to Klosterman (hereinafter, merely “Klosterman ‘983”) in view of U.S. Published Application No. 2005/0262542 to DeWeese et al. (hereinafter, merely “DeWeese”) in view of U.S. Patent No. 7,143,428 to Bruck et al. (hereinafter, merely “Bruck”).

Claim 7 recites, *inter alia*:

“...wherein the selection means verifies that the program selected by the user may be received in a broadcast territory, the broadcast territory identified by the user, such that when a program selected by the user may not be received in the broadcast territory identified by the user an alert message is displayed in the electronic program guide...” (Emphasis added)

As understood by Applicants, Klosterman ‘983 relates to a scheme for displaying television schedule information received from multiple sources.

As understood by Applicants, DeWeese relates to a television chat system.

As understood by Applicants Bruck relates to concurrent viewing of a video program and text communications concerning the video program.

Applicants respectfully submit that nothing has been found in Klosterman ‘983 or DeWeese or Bruck that would teach or suggest the above-identified features of claim 7.

Therefore, Applicants respectfully submit that independent claim 7 is patentable.

Independent claims 9 and 10 are similar, or somewhat similar, in scope to independent claim 7, and are therefore patentable for similar, or somewhat similar, reasons.

B. Claims 15, 16, and 18-19

Claims 15, 16, and 18-19 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,940,073 to Klosterman (hereinafter, merely “Klosterman ‘073”) in view of DeWeese in view of Bruck.

Claim 15 recites, *inter alia*:

“...wherein the acquisition means verifies that a program selected by the user may be received in a broadcast territory, the broadcast territory identified by the user, such that when a program selected by the user may not be received in the broadcast territory identified by the user an alert message is displayed in electronic program guide data...” (Emphasis added)

Applicants respectfully submit that nothing has been found in Klosterman ‘073 or DeWeese or Bruck that would teach or suggest the above-identified features of claim 15.

Therefore, Applicants respectfully submit that independent claim 15 is patentable.

Independent claims 18 and 19 are similar, or somewhat similar, in scope to independent claim 15, and are therefore patentable for similar, or somewhat similar, reasons.

C. Claims 1, 3, 5-6, and 17

Claims 1, 3, 5, and 6 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Application Publication No. 2005/0204387 to Knudson et al. (hereinafter, merely “Knudson”) in view of U.S. Patent No. 5,299,010 to Nakazawa et al. (hereinafter, merely “Nakazawa”) and further in view of DeWeese and further in view of Bruck.

Claim 17 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Klosterman ‘073 in view of Klosterman ‘983 and further in view of DeWeese and Bruck.

Claim 1 recites, *inter alia*:

“...wherein the verifying means verifies that the program selected by the user may be received in a broadcast territory, the

broadcast territory identified by the user, such that when a program selected by the user may not be received in the broadcast territory identified by the user an alert message is displayed in the electronic program guide..." (Emphasis added)

Therefore, Applicants respectfully submit that independent claim 1 is patentable.

Independent claims 5, 6 and 17 are similar, or somewhat similar, in scope to independent claim 1, and are therefore patentable for similar, or somewhat similar, reasons.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.


Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and request early passage to issue of the present application.

Respectfully submitted,

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